



NEW JERSEY DEPARTMENT
OF CHILDREN AND FAMILIES

New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	124	Manual Of Standards For Children'S Shelter Facilities And Homes	9/12/2008
Subchapter:	4	Program Requirements	
Section	15	Search and seizure requirements for shelter facilities (N.J.A.C. 10:124-4.15)	

§10:124-4.15 Search and seizure requirements for shelter facilities

(a) Search procedure for a weapon(s):

1. A shelter facility staff member shall be permitted to frisk search (surface search of outer clothing) a child only when there is reasonable suspicion that the child is in possession of a weapon(s).

2. A shelter facility staff member shall be prohibited from reaching into a child's pockets unless the frisk search indicates that there is reasonable belief that the child is in possession of a weapon(s).

3. The shelter facility shall complete and keep on file an incident/accident report for every incident involving the frisk searching of a child.

(b) Search procedure for illegal drugs or contraband:

1. A shelter facility staff member shall be prohibited from frisk searching a child who is suspected of possessing illegal drugs or contraband.

2. A shelter facility staff member who has reasonable suspicion that a child is in possession of illegal drugs or contraband shall request that the child voluntarily empty a garment pocket(s), a bag, a purse or other such items within a child's possession or control. If the child complies with the request, the shelter facility staff member shall inspect all items that are in plain view. The staff member shall be prohibited from conducting an exploratory search of another garment pocket(s) or other compartment(s) of a bag or a purse without the voluntary permission of the child.

3. If a child refuses a voluntary request to empty a garment pocket(s), a bag, a purse or other such item, the shelter facility staff member shall summon a law enforcement officer to conduct a lawful search of the child.

(c) A shelter facility staff member shall be prohibited from strip searching a child for any reason.